

AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 19, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-18676 - APPLICANT/OWNER: V.P. PROPERTIES, LLC, ET AL

**** CONDITIONS ****

The Planning Commission (4-3/gt, ds, ld vote) and staff recommend DENIAL.

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-17304) and Variance (VAR-22389) shall be required.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan and landscape plan, date stamped 06/05/07, and building elevations, date stamped 12/12/06 and 04/30/07, except as amended by conditions herein.
4. The applicant shall remove all graffiti and trash from the site within 30 days of approval of this item.
5. The applicant shall remove the building in the far northeast corner of the site and all storage containers within 30 days of approval of this item. Said building is identified on the site plan, date stamped 06/05/07, as "Existing Bldg. to be Removed".
6. The applicant shall have an occupancy investigation performed for the two-story accessory structure and obtain any necessary building permits from the Department of Building and Safety to convert the building from a residential accessory structure to a commercial accessory structure within 30 days of approval of this item. Said building is identified on the site plan, date stamped 06/05/07, as "Existing Bldg. to Remain".
7. The applicant shall obtain the necessary building permits from the Department of Building and Safety to site the construction trailer/modular building as a permanent structure; otherwise the structure shall be removed from the site within 30 days of approval of this item.
8. No person shall be allowed to live on the subject property.

9. All outside storage shall be screened from view of the adjacent properties and streets. The screening must be architecturally consistent with the principal dwelling in terms of materials, colors, and details except as amended by conditions herein.
10. Recordation of a reversionary parcel map or administrative joining consolidating the parcels on the site within 120 days of final approval.
11. Pursuant to Title 19.10.010 (D)(6), all parking and vehicle storage areas shall occur on paved areas. Those areas designated on the site plan, date stamped 06/05/07, as parking and all areas used for vehicle storage must adhere to the standards as set forth in Title 19.10, except as amended herein.
12. A Waiver from Title 19.12.040 (Perimeter Landscape Buffering) requirements is hereby approved, to allow a perimeter landscape buffer width of 10 feet adjacent to the right-of-way where 15 feet is the minimum required.
13. A Waiver from Title 19.12.040 (Perimeter Landscape Buffering) requirements is hereby approved, to allow no perimeter landscape buffer along the boundary with parcel 139-28-301-028 in the side yard where eight feet is the minimum required.
14. An Exception from Title 19.10.010 (J)(11)(c) (Parking Lot Landscaping) requirements regarding the required number of trees is hereby approved, to allow a total of 6 trees where 12 trees are the minimum required.
15. An Exception from Title 19.12.040 (Perimeter Landscape Buffering) requirements regarding the required number of trees is hereby approved, to allow a total of 55 trees where 62 trees are the minimum required adjacent to a residential use.
16. The request to use chain link fencing to provide portions of the required perimeter and screen walls is hereby approved provided that it is used in conjunction with slating or other material to create an opaque appearance to screen the site from the view of the adjacent properties and streets.
17. A Waiver from Title 19.08.050 (D)(1) (Fencing and Walls) requirements is hereby approved, to allow no wall where a perimeter screen wall at least six feet in height would be required along the boundary with parcel 139-28-301-028 in the side yard.
18. A Waiver from Title 19.08.050 (E)(4)(a) (Interior Screen Walls) requirements is hereby approved, to allow a screen wall to be less than the required eight-foot height within the interior of the site.
19. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the

same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.

20. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
21. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
22. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
23. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
24. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
25. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

26. Construct all incomplete half-street improvements on Bonanza Road and remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
27. Submit an application to the Land Development Section of the Department of Public Works a deviation from Standards Drawing #222a for the driveway accessing this site. The driveway shall also receive approval from the Nevada Department of Transportation.
28. Unless otherwise allowed by the City Engineer, construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with

development of this site. The connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network and shall be terminated on-site with a handicap ramp.

29. Provide a copy of a recorded Joint Access Agreement for the two parcels that comprise this site prior to the issuance of any permits for this site; alternatively, file an Administrative Joining of the parcels that comprise this site.
30. Landscape and maintain all unimproved right-of-way, if any, on Bonanza Road adjacent to this site.
31. All private improvements and landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
32. As appropriate, submit an Encroachment Agreement to the City of Las Vegas or obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Bonanza Road public right-of-way adjacent to this site prior to the issuance of any permits.
33. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
34. Site development to comply with all applicable conditions of approval for ZON-17304 and all other subsequent site-related actions.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for a Building Landscape Material/Lumber Yard with waivers to allow a perimeter landscape buffer 10 feet in width where 15 feet is the minimum required adjacent to the right-of-way; to allow a perimeter landscape buffer zero feet in width where eight feet is the minimum required along a portion of the interior; and to allow no screen wall where a six-foot screen wall is the minimum required for a portion of the eastern side property line on 2.67 acres at 2020 and 2022 West Bonanza Road and 715 Clarkway Drive. The property currently consists of two developed parcels where a building and landscape material/lumber yard use is operated.

The applicant is proposing to clean-up the site and indicates that the existing accessory buildings that are to remain are used for storage of equipment and supplies. Further, the applicant proposes that a construction trailer (identified as a modular building) be sited on the property to provide auxiliary office space. Due to the incompatibility of this use with the residential development in the area and deviations from standards that require multiple waivers and a variance, denial of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
10/03/79	The City Council approved a rezoning request (Z-0053-79) from R-E (Residence Estates) to P-R (Professional Offices and Parking) and R-3 (Limited Multiple Residence) on the site. The Planning Commission had recommended approval. This action has expired.
12/05/80	The Board of Zoning Adjustment approved a Use Permit (U-0075-80) to allow a juvenile consulting center on the site.
10/05/88	The City Council approved a request for a variance (V-0096-88) to permit a homeless shelter on the site, where not permitted.
06/19/02	The City Council tabled a request for a Special Use Permit (U-0037-02) to allow a building and landscape material yard at this location. The Planning Commission and staff recommended denial of this request.
10/16/02	The City Council approved a request for a Rezoning (Z-0067-02) to C-1 (Limited Commercial) and Site Development Plan Review [Z-0067-02(1)] to convert a 3,230 square foot existing single family residence into an office. The Planning Commission and staff recommended approval.

01/06/07	The Code Enforcement Division of the Department of Neighborhood Services issued a code violation notice regarding chain link fencing installed without a permit. The fencing had razor wire on top and created a landlocked neighboring property. Additionally, there was a construction trailer on site without a permit. This matter has been marked resolved as of 03/31/07.
01/25/07	The Planning Commission held this item in abeyance at the applicant's request.
02/22/07	The Planning Commission tabled this item at the applicant's request.
06/14/07	The Planning Commission held this item in abeyance at the applicant's request.
07/12/07	The Planning Commission held this item in abeyance at the applicant's request.
08/23/07	<p>The Planning Commission recommended denial of companion item ZON-17304 and withdrew without prejudice VAR-22389 concurrently with this application.</p> <p>The Planning Commission voted 4-3/gt, ds, ld to recommend DENIAL (PC Agenda Item #27/rts).</p>
<i>Related Building Permits/Business Licenses</i>	
05/29/97	A building permit application, plan check M-3620-97, was submitted, approved, and issued for the site. This was for a plan check review to construct a chain link fence around an on-site well at 2020 West Bonanza Road. This permit (97011066) expired on 11/29/97.
08/18/99	A business license, C11-06982, for a Contractor category license was issued by the Department of Finance and Business Services. This license was re-issued due to a change of location on 06/13/06.
11/26/02	A building permit application, plan check L-5114-02, was submitted for the site. This was for a plan check review for the conversion of a single family dwelling at 2020 West Bonanza Road to an office occupancy. This permit (04004732) was reviewed and approved by the Planning and Development Department on 11/26/02 and issued by the Building and Safety Department 02/27/04. Project listed as completed on 10/06/04.
01/18/05	A business license, C40-00014, for a Concrete Pumping category license was issued by the Department of Finance and Business Services. This license was marked out of business on 12/06/06.
01/17/07	A building permit application, plan check L-0477-07, was submitted for the site. This was for a plan check review for the siting of a temporary modular building at 2022 West Bonanza Road for an office use. No permit has been reviewed or issued as of 05/24/07 for this application.
01/23/07	A building permit application, 80224-C-07, was submitted, approved, and issued for the site. This was for fencing (chain link) at 2020 West Bonanza Road. The project listed as completed/finaled on 02/11/07.
<i>Pre-Application Meeting</i>	
09/21/06	A pre-application meeting was held. It was noted that the requested change

	would bring the site up to current requirements as the current use in non-conforming. A reversionary map would be required and it was stated that Bonanza is a Nevada Department of Transportation (NDOT) right-of-way.
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<i>Neighborhood Meeting</i>	
08/07/07	<p>A neighborhood meeting was held at Southwest Design, 2020 West Bonanza Road. Two members of the public attended. The members of the public had the following questions or comments about the project:</p> <ul style="list-style-type: none"> • The residents want an eight-foot wall with landscaping installed around the perimeter of the property in accordance with code requirements. • The residents want the two outbuildings on the north end of the property demolished. • Parking for commercial vehicles should be on pavement for dust control/air quality. • The residents have no objections to the rezoning or the use of the property, but want the property brought up to code. • The residents want dust control for any sand or gravel that may be stored on site. • No access should be permitted to Clarkway Drive. • The 25' access strip (to the well location) should either be purchased by the applicant or fenced.

<i>Field Check</i>	
05/11/07	<p>The Department of Planning and Development conducted a site visit that found that this was a developed site that includes the office building at the southeastern corner and various outbuildings towards the rear of the site. It was noted there is a number of vehicles parked on unpaved surfaces and that trash was piled in several locations. Finally, there is quite a bit of chain link fence both at the perimeter and internal to the site sectioning off areas, primarily at the rear.</p>

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	2.67

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Office, Other Than Listed	MXU (Mixed-use)	C-1 (Limited Commercial)
	Building & Landscape Material/Lumber Yard	MXU (Mixed-use)	R-E (Residence Estates)
North	Single Family Residential, Detached	MXU (Mixed-use)	R-E (Residence Estates)
South	Office, Other Than Listed	LI/R (Light Industry/Research)	C-M (Commercial/Industrial)

	Commercial Storage	LI/R (Light Industry/Research)	C-2 (General Commercial)
East	Office, Other Than Listed	MXU (Mixed-use)	C-1 (Limited Commercial)
	Single Family Residential, Detached	MXU (Mixed-use)	R-E (Residence Estates)
West	Single-family Residential, Detached	MXU (Mixed-use)	R-E (Residence Estates)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Redevelopment Plan Area	X		Y
West Las Vegas Plan	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O Airport Overlay District	X		Y
Trails	X		Y
Rural Preservation Overlay District		X	n/a
Development Impact Notification Assessment		X	n/a
Project of Regional Significance		X	n/a

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following development standards apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Width	100 Feet	192 Feet	Y
Min. Setbacks (Primary Structure)			
• Front	20 Feet	51 Feet	Y
• Side	10 Feet	14.56 Feet	Y
• Corner	15 Feet	n/a	n/a
• Rear	20 Feet	> 20 Feet	Y
Min. Setbacks (Accessory Structure – “Existing Equipment Storage Building”)			
• Front	20 Feet	> 20 Feet	Y
• Side	8 Feet	> 8 Feet	Y
• Corner	15 Feet	n/a	n/a
• Rear	10 Feet	> 10 Feet	Y
• Building Separation	6 Feet	> 6 Feet	Y

Min. Setbacks (Accessory Structure – “Existing Accessory Structure to Remain”)			
• Front	20 Feet	> 20 Feet	Y
• Side	10 Feet	> 10 Feet	Y **
• Corner	15 Feet	n/a	n/a
• Rear	10 Feet	> 10 Feet	Y
• Building Separation	6 Feet	> 6 Feet	Y
Min. Setbacks (Accessory Structure – “Existing Bldg. to be Removed”) *			
• Front	20 Feet	> 20 Feet	Y
• Side	10 Feet	0 Feet	N *
• Corner	15 Feet	n/a	n/a
• Rear	10 Feet	> 10 Feet	Y
• Building Separation	6 Feet	> 6 Feet	Y
Min. Setbacks (Accessory Structure – “720 SF Modular Bldg.”)			
• Front	20 Feet	> 20 Feet	Y
• Side	10 Feet	10 Feet	Y
• Corner	15 Feet	n/a	n/a
• Rear	10 Feet	> 10 Feet	Y
• Building Separation	6 Feet	> 6 Feet	Y
Max. Lot Coverage	50 %	< 50%	Y
Trash Enclosure	Screened & Gated	Screened & Gated	Y
Mech. Equipment	Screened	Screened	Y

* The structure labeled as “Existing Bldg. to be Removed” has been conditioned, as a part of this review, to be removed within 30 days of final action if the application is approved.

** The setback complies with C-2 (General Commercial) district standards, but does not comply with Residential Adjacency setbacks.

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	54 Feet	15.26 Feet	N *
Adjacent development matching setback	10 Feet	10 Feet	Y
Trash Enclosure	50 Feet from a protected property	> 50 Feet	Y

* The principal building and the accessory structure labeled “Existing Equipment Storage Building” meet the minimum proximity slope setback requirement. The accessory structure labeled “Existing Accessory Structure to Remain” does not meet the requirement. If approved, the necessitated Variance (VAR-22389) would grant relief from the City standard.

Pursuant to Title 19.10 and 19.12, the following landscaping standards apply:

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Parking Area	1 Tree/6 Spaces	12 Trees	6 Trees	N *
Buffer:				
Min. Trees	1 Tree/20 Linear Feet	62 Trees	55 Trees	N *
	1 Tree/30 Linear Feet	17 Trees	18 Trees	
TOTAL		91 Trees	79 Trees	N *
Min. Zone Width	8 Feet @ Interior		0 Feet	N *
	15 Feet @ Right-of-Way		10 Feet	N *
Wall Height	8 Feet		Varies	N **

* If approved, waivers requested as a part of this review will allow for no perimeter landscape buffer and zero trees along the boundary with parcel 139-28-301-028 in the eastern side yard where eight feet is the minimum buffer width required and would need 17 trees. The waiver also requests a reduction in parking area landscaping.

** If approved, a request has been made as a part of this review to allow chain link fencing in areas. Some of the existing fencing has been permitted and some has not. Additionally, there are areas that have screening at six feet and others at eight feet.

Pursuant to Title 19.04 and 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Office, Other Than Listed (Existing Building)	2,476 SF	1 Space / 300 SF of GFA	7 Spaces	1 Spaces	7 Spaces	1 Space	Y
Office, Other Than Listed (Proposed Modular Building / Construction Trailer)	720 SF	1 Space / 300 SF of GFA	3 Spaces	0 Spaces	6 Spaces	0 Spaces	Y

Building & Landscape Material/ Lumber Yard	5,558 SF	1 Space / 500 SF of GFA	12 Spaces	0 Spaces	53 Spaces	0 Spaces	Y
SubTotal	8,034 SF		22 Spaces	1 Space	66 Spaces	1 Space	Y
TOTAL (including handicap)			23 Spaces		67 Spaces		Y *
Loading Spaces			1 Space		1 Spaces		Y

- * The overall site will have a parking surplus. Much of the surplus parking indicated on the site plan, date stamped 06/05/07, does not currently meet code; therefore, a condition of approval has been added to this review that requires all parking and vehicle storage areas be properly paved and to adhere to Title 19.10 parking area design standards.

Waivers		
Request	Requirement	Staff Recommendation
To allow portion of a screen wall to be less than the required eight feet within the interior of the site. The existing walls varies in height from six feet to eight feet, and portion of the eastern side yard consists of chain link fence.	8 Feet	Denial
To allow no perimeter screen wall along the boundary with the well access parcel in the side yard area	6 Feet	Denial
To allow a perimeter landscape buffer width of 10 feet adjacent to the right-of-way. To provide a ten-foot wide perimeter landscape buffer along the southern lot line along the ROW	15 Feet	Denial
To provide as little as zero feet of perimeter landscape buffer along the interior property lines adjacent to the well access parcel	8 Feet	Approval
To provide a total of 6 trees within the parking areas.	1 Tree / 6 Spaces (12 Trees)	Denial
To provide a total of 55 trees within the perimeter landscape buffer area adjacent to residential use.	1 Tree / 20 Linear Feet (62 Trees)	Denial

ANALYSIS

The subject site is located on the Southeast Sector Map of the General Plan. The site is designated as MXU (Mixed Use) on the Redevelopment Plan Area Map of the General Plan. This category allows for a mix of uses that are normally allowed within the L (Low Density Residential), ML (Medium Low Density Residential), M (Medium Density Residential), H (High Density Residential), O (Office), SC (Service Commercial), and GC (General Commercial) Master Plan land use categories. The project proposes to legitimize a building and landscape material/lumber yard use that is operated in conjunction with an office activity previously approved on the portion of this site that is presently zoned C-1 (Limited Commercial). The proposed building and landscape material/lumber yard use and the associated office use are permissible under the MXU (Mixed Use) designation.

There is a companion Rezoning (ZON-17304) that proposes to change the entire project site's zoning from R-E (Residence Estates) and C-1 (Limited Commercial) to C-2 (General Commercial). The proposed C-2 (General Commercial) zoning district is designed to provide the broadest scope of compatible services for both the general and traveling public. This category allows retail, service, automotive, wholesale, office and other general business uses of an intense character, as well as mixed-use developments. This district should be located away from low and medium density residential development and may be used as a buffer between retail and industrial uses. The existing use established at this location is permissible, as a conditional use, in a C-2 (General Commercial) zoning district which is compatible with the MXU (Mixed Use) General Plan designation.

The site is within the McCarran International Airport Overlay Map portion of the Airport Overlay District. This is a developed site with an overlay height limitation of 140 feet and is in compliance with Title 19.06.080.

The site encompasses two parcels with a building built at the lot lines. Additionally, should the parcels in the future become separate developments the site will be placed out of conformance with the development standards for the C-2 (General Commercial) zoning district. For this reason a condition has been added to the Site Development Plan Review (SDR-18676) that prior to the issuance of any building or grading permits that a reversionary parcel map or administrative joining consolidating the parcels be recorded.

This site development plan review has been submitted in conjunction with a proposed Rezoning (ZON-17304) to change the entire site area to a C-2 (General Commercial) zoning district and a Variance (VAR-22389) to allow a deviation of the residential adjacency setback for an existing accessory structure.

- **Site Plan**

The site lies approximately 200 feet west of the intersection of West Bonanza Road and Clarkway Drive. This is an existing building and landscape material/lumber yard use that is operated in conjunction with an office activity previously approved on the portion of this site that is presently zoned C-1 (Limited Commercial).

The site was originally approved as a conversion of a residential building at the southeast corner of the property adjacent to Bonanza Road that was converted to an office use and partially zoned C-1 (Limited Commercial). Subsequently, the site has been converted into the current configuration to support the building and landscape material/lumber yard use. The site plan illustrates several existing buildings, including a construction trailer proposed as a modular office situated towards the west property line. As this structure has not been previously approved, a condition has been added to this review that, if approved, the construction trailer must either be removed or obtain the necessary permits to site the structure from the City's Department of Building and Safety within 30 days of approval. There is one building at the far northeast corner of the site that is indicated for removal, as it is partially within the required setback and encroaches on to the neighboring property. During a recent, 08/07/07, site visit photographs were taken of the site that indicate that there are storage containers located on the site that are not a part of the proposed site plan. A condition has been added to this review that, if approved, the building at the northeast corner and all storage containers must be removed within 30 days of approval. Finally, there is a third accessory structure that is indicated to remain that does not meet the residential adjacency setback standard and has necessitated a Variance (VAR-22389). Due to the height of the building exceeding 15 feet, the 3:1 proximity slope calculation requires a residential adjacency setback of 54 feet; however, the building is only 15.26 feet from the protected property.

The plan indicates that the front screening fence will be moved so that it is no longer within the front setback area. Further, the site plan illustrates screening and perimeter fencing utilizing a mix of existing chain link and block wall.

- **Landscape Plan**

The landscape plan depicts various landscape buffers around the perimeter of this site. A waiver has been requested as a part of this review to allow portions of the perimeter landscape buffers to be reduced. The applicant has requested that the perimeter landscape buffer adjacent to the right-of-way be reduced to ten feet where 15 feet is required. The existing landscape buffer is ten feet and this would be extended into the western portion of the site. Additionally, the applicant is requesting that no perimeter landscape buffer be required along the boundary with parcel 139-28-301-028 in the side yard where eight feet is the minimum required. This parcel intrudes into the side yard of the site and serves only as access to the neighboring well. Finally, a waiver of the parking area landscaping requirement is requested to allow only six trees within the designated parking areas where 12 would be required.

- **Elevations/Floor Plan**

The structures on site are mainly existing buildings and the provided pictures show a variety of styles. There is one two-story building and all others are one story. There are no elevations provided for the construction trailer/modular office building currently on-site that the applicant is proposing to permanently site.

The floor plans show that the main building is a typical office. There are no floor plans provided for the construction trailer/modular office building currently on-site that the applicant is proposing to permanently site or the two-story accessory building.

This request is not compatible with the existing commercial and residential developments in the area due to intensity of the use and the required waivers and Variance (VAR-22389). Therefore, staff is recommending denial of this Site Development Plan Review.

FINDINGS

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

- 1. The proposed development is compatible with adjacent development and development in the area;**

The proposed development is not compatible with adjacent residential developments in the surrounding area as it requires multiple deviations from design standards including a variance to allow a reduced residential adjacency setback.

- 2. The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;**

The proposed development is consistent with the General Plan, but is not consistent with Title 19 development, parking, or landscape standards.

- 3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

Site access is provided from West Bonanza Road, a 100-foot wide primary arterial street that should be adequate to support the proposed use.

- 4. Building and landscape materials are appropriate for the area and for the City;**

Building materials are not appropriate for the area and the City of Las Vegas. Per Title 19.04 the screen wall shall match the materials of the main building. The screen wall consists of cinder block in places, however; the wall also includes corrugated metal, chain link fence, and razor wire. These materials are not appropriate. The proposed landscape materials are appropriate for the area and the City of Las Vegas.

5. **Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;**

The buildings on the site are all existing structures including a construction trailer/modular building that is requested to be located on the site. One of these dwellings that cross property lines is being removed; another dwelling has been partially removed. The main dwelling is used as the office for the business on the site and consists of stucco, Spanish tile and is appropriate.

6. **Appropriate measures are taken to secure and protect the public health, safety and general welfare.**

The building and landscape material/lumber yard and office, other than listed uses are subject to regular building and business licensing inspections and therefore should not compromise the public health, safety or welfare.

PLANNING COMMISSION ACTION

The Planning Commission considered potential modifications to conditions to the site plan:

- Remove #5, 6, 7, 8, 13, 17 and 18
- Remove all four accessory buildings in the rear with six months
- An 8' high decorative block wall shall be built on the rear and east side within one year
- All landscaping shall meet code except for front yard waiver approved herein
- No on-site storage of vehicle or materials including sand

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

17

ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

NOTICES MAILED 183 by Planning Department

APPROVALS 3

